

Bennington Board of Selectmen

February 12, 2024

Meeting Minutes – 6:00 pm

Selectboard: Chairman, James Cleary, Tony Parisi, Tom James

Staff: Deb Davidson, Town Administrator, Cathy McGillicuddy, Administrative Assistant

Public: There was no public present

Chairman Cleary opened the meeting at 6:00 pm

Appointments:

6:15 – Harley Miller, Sherry Miller, Matt Miller, letter to NHDES – Sherry Miller stated she would be recording this meeting. Matt Miller started out stating Bennington is a good small town... (remainder of comment is attached). Mr. Miller explained they want to be good neighbors, they employ 3 people and hope to employ more in the future. Mr. Miller stated they want to do the right thing, they will not be bullied and will stick up for their property and business. Mr. Miller further asked why the Selectboard sent a letter to NHDES without first contacting, or at least copying Harley on the letter. Mr. Miller stated they didn't ever get anything in writing about any complaint, he further asked what the town policies are for responding to complaints. Mr. Miller questioned why does the Conservation Commission minutes of December reflect they notified with a letter a resident about sawdust in wetlands, yet they never contacted Harley regarding their concerns with his property? Matt wanted to know why the Millers were not allowed to defend themselves before taking steps to contact the DES?

Chairman Cleary explained to the Millers how this concern came to the Board of Selectmen. On behalf of the Board of Selectmen, Chairman Cleary apologized to the Millers. The Selectmen were under the impression Mr. Miller had been contacted and didn't respond. The Board of Selectmen have asked Code Officer, John Kendall to meet with Harley Miller. The Town Administrator reported that Mr. Kendall has met with Mr. Miller and they discussed what should be addressed and how Mr. Miller

could proceed in an effective manner. Mr. Kendall reported to Town Administrator that Mr. Miller was very cooperative.

Matt Miller explained he works with the DES a lot, he discussed how he handles working with property owners before turning a concern over to the DES.

Selectmen will be attending the next Conservation Commission meeting, Thursday February 15, 2024 at 6:30 pm. The Board erred and would like to address the Conservation Commission, a policy will be implemented and everyone will be treated the same. Again, Chairman Cleary indicated the Selectboard was under the impression that the Millers were aware of the complaint from the Conservation Commission.

Matt Miller presented the Board of Selectmen a written complaint regarding Tax Map 17 Lot 34 and Tax Map 18 Lots 3-2 and 2. He provided a copy to be provided to the Conservation Commission. Mr. Miller asked that this complaint be investigated immediately and to notify any action taken via an email that was provided. Miller asked that this letter become part of the minutes.

Selectmen thanked the Millers for coming in and discussing these matters with the Board of Selectmen.

6:30 – Jim Creighton, to discuss VFW – Mr. Creighton and the Selectboard briefly discussed the ConVal Consolidation, budget and other issues. Mr. Creighton discussed some options for renovations at the VFW, Bear Hand Construction specializes in working with veterans. He has provided a very reasonable price and a very reasonable plan for the Selectmen to review. There needs to be an engineered site survey, the cost for that is approximately \$2,000.00. Discussion of paying for this project followed. No decisions were made at this time, Selectmen would like to discuss this amongst themselves before making any decisions.

Mr. Creighton discussed a CDBG option for a grant. The project could fit into the requirements being used for elderly and/or veterans. Donna Lane is the contact, Mr. Creighton will stay in touch with Ms. Lane and follow up with the Town Office as things progress. Mr. Creighton will also obtain a detailed estimate from Bear Hand Construction.

A discussion on storage followed. No decisions were made.

Minutes: Chairman Cleary made the motion to accept the minutes of the February 5, 2024 Selectmen's Meeting as written. Seconded by Selectmen Parisi & James.

Financial: Selectmen approved the February 8, 2024 A/P & Payroll Manifests

Other:

- **Anonymous Letter** – Selectmen reviewed an anonymous letter they received regarding the Police Department. Motion by Chairman Cleary to acknowledge receipt of an anonymous letter regarding the police department. Seconded by Selectmen Parisi & James. A copy will be provided to the Police Department. Selectmen will continue with their due diligence to stay up to date.
- **Town Report** - DRAFT Town Report was provided for Selectmen to review
- **NHDES Update** – No update to report
- **Gymnasium bathroom** (privacy entrance) – A brief discussion about the doorway and privacy during events. Selectmen unanimously agree, doorway will remain as is.
- **Plaque of honor** - E-mail from Town Counsel regarding placing names on the plaque as was discussed at the Deliberative Session was reviewed. A brief discussion followed. Motion by Chairman Cleary to put Joyce Miner on the plaque. Seconded by Selectman Parisi. (Motion passed 3-0). Selectmen discussed where the plaque shall hang. After a brief discussion, Selectmen unanimously agreed it will be installed in the entry way by the elevator.
- **Cemetery Rules & Regulations** – Selectmen signed the updated rules & regulations.
- **Next Selectboard Meeting** – Selectmen would like to have Matt Blanchard at the next meeting for a monthly update. There will be no meeting on Monday, February 19, 2024.
- **Highway Vehicles** – Selectman Parisi reported the new highway vehicles are undercoated, inspected and seat covers have been ordered.
- **NHDES Letter** – Selectmen discussed withdrawing the letter that was sent to the NHDES regarding Miller property. Discussion followed. Motion by Chairman Cleary to have the Town Administrator contact the NHDES and withdraw the letter that was sent by the Selectmen to the NHDES at the

recommendation of the Bennington Conservation Commission. Seconded by Selectmen Parisi & James. Motion passed 3-0.

Adjournment:

With nothing further, Chairman Cleary adjourned the meeting at 7:27 pm. The next Selectmen's Meeting is scheduled for Monday, February 26, 2024 at 6:00 pm.

Respectfully Submitted,



Debra Davidson, Town Administrator

Bennington is a good, small town with good hard-working, blue-collar people.

The problem is, there is one person in town that has appointed themselves as the "Mayor of Bennington".

This person inherited everything they have and does not have to work, able to spend time telling everyone else in town what they can and cannot do on their property.

When they don't get the response they are looking for, they go to the town and push the town to do their dirty work.

This person came onto our property and did not get the answer they were looking for so they went to the Planning Board.

When the Planning Board did not do what they wanted, they went to the Building Inspector.

The Building Inspector did not find anything wrong, so they have now moved onto the Conservation Commission who has two members that were at our Planning Board meeting and objected to our use of the property.

At the end of the day, we want to be good neighbors and do what is right, but we will not be bullied into doing what one person wants.

If it is determined that corrections need to be made, we are happy to comply, but let it be known that from day one of this project we have done everything that the Town of Bennington has required.

We have asked for this meeting tonight to understand the Town's policy on receiving and accepting complaints and how a complaint was sent to DES without the property owner being made aware and having the opportunity to discuss the alleged complaint.

February 12, 2023

Town of Bennington
Board of Selectmen
7 School St.
Bennington, NH 03442

Dear Board of Selectmen,

This letter shall serve as an official Letter of Complaint regarding Tax Map 17, Lot 34 and Tax Map 18, Lots 3-2 and 2.

My complaint is that the owner of these parcels (Scott Liljeberg/Cold Springs Land Trust) has disturbed the land by excavation and removal of stumps where the new snowmobile trail was built. In the process he has disturbed the wetlands in multiple places by installing culverts to allow passage over the wetlands. I believe that all of this was done without proper permits.

Therefore, I respectfully request that this be investigated immediately. Further, I request that any action taken on this matter be communicated to me via email (emtimiller@gmail.com).

Should you have any questions, please feel free to reach out to me at the email address above.

~~Respectfully submitted,~~



Harley Miller
237 North Bennington
Bennington, NH 03442